

No. 24-2355

**IN THE UNITED STATES COURT OF APPEALS
FOR THE NINTH CIRCUIT**

PAYSERVICES BANK,

Plaintiff-Appellant,

v.

FEDERAL RESERVE BANK OF SAN FRANCISCO,

Defendant-Appellee.

On Appeal from the United States District Court
for the District of Idaho
No. 1:23-cv-00305-REP
Hon. Raymond E. Patricco, Jr.

JOINT STATUS REPORT

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INTRODUCTION

In the Court's Order entered on January 24, 2025 (Docket Entry No. 52.1), the Court directed the parties to "file a status report as to the status of the appeal by February 27, 2025 and every 30 days thereafter until the resolution of the administrative appeal." In compliance with this directive, the parties state the following:

1. Appellee Federal Reserve Bank of San Francisco ("FRBSF") does not have access to the Idaho Office of Administrative Recommended Order or amended Recommended Order referenced below. FRBSF requested copies of the recommended orders, which Appellant PayServices has declined to provide. FRBSF is only aware of the below events through PayServices' updates herein and has no other updates or information regarding the status of PayServices' administrative appeal.

2. The matter pending before the Idaho Office of Administrative Hearings challenging the termination of PayServices' preliminary approval has progressed. A Recommended Order was issued by the Administrative Law Judge on July 21, 2025, followed by an amended Recommended Order issued on July 23, 2025. PayServices intends to file a Motion for Reconsideration of this Recommended Order based on newly available evidence that directly contradicts certain aspects of the recommendation. The deadline for filing that Motion is August 6, 2025. The Idaho

Department of Finance has not issued a final order or taken final agency action. Thus, the matter remains pending and the administrative appeal is still undecided.

3. PayServices has declined to provide copies of the original and amended Recommended Orders to FRBSF because they are not final orders or an “explanation provided by the Idaho Department of Finance,” which the Court has directed PayServices to provide in its January 24, 2025 Order “upon the resolution of PayServices’ administrative appeal.” Providing them to FRBSF at this time would be premature.

4. Any further updates in this matter will be provided via a status report which will be filed 30 days from today’s date.

Date: July 31, 2025

Jade A. Craig, P.A.

Simpson Thacher & Bartlett LLP

s/ Jade A. Craig
Jade A. Craig

s/ Jonathan K. Youngwood
Jonathan K. Youngwood

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CERTIFICATE OF FILING AND SERVICE

I hereby certify that on this 31 day of July, 2025, I electronically filed the foregoing with the Clerk of Court for the United States Court of Appeals for the Ninth Circuit by using the appellate CM/ECF system.

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